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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,551	05/10/2001	Jevan Damadian	DAMADIAN 3.0-067 CIP DIV	7187

530 7590 01/15/2003

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

*Due
15 APR 2003*

EXAMINER

KIM, PAUL D

ART UNIT PAPER NUMBER

3729

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

LDLK&M

JAN 21 2003

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Office Action Summary

Applicant(s)

09/852,551

Applicant(s)

DAMADIAN ET AL.

Examiner

Paul D Kim

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachments

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z. 6) ☐ Other:

Notice of References Cited

Application/Control No.

09/852,551

Applicant(s)/Patent Under
Reexamination
DAMADIAN ET AL.

Examiner

Paul D Kim

Art Unit

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Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,671,526	09-1997	Merlano, Alessandro	29/609
	B	US-6,226,856	05-2001	Kazama et al.	29/596
	C	US-5,862,579	01-1999	Blumberg, Murray B.	29/417
	D	US-5,654,603	08-1997	Sung et al.	310/214
	E	US-5,315,244	05-1994	Griebeler, Elmer L.	324/207.21
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

DETAILED ACTION

1. This office action is a response to the preliminary amendment filed on 5/10/2001.

Information Disclosure Statement

2. The information disclosure statement filed 5/10/2001 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --A METHOD OF FABRICATING A FERROMAGNETIC PLATE--.

Claim Objections

4. Claim 44 is objected to because of the following informalities:

The limitation "a oppositely directed major surfaces" in lines 4-5 is objected.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 44 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "each strip" in line 8 renders vague and indefinite. It is unclear whether this each strip is the same strip in line 6 or a new strip.

The limitation "major surfaces" in line 11 renders vague and indefinite. It is unclear whether these major surfaces are the same oppositely directed major surfaces in lines 4-5 or not.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 44 is rejected under 35 U.S.C. 102(b) as being anticipated by Merlano (US PAT. 5,671,526).

Merlano teaches a method of preparing transformer cores including steps of: cutting a starting plate having oppositely directed surfaces and a thickness such surfaces into strips, each strip having a width greater than the thickness of the starting

plate and equal to the thickness of the plate to be fabricated and stacking the strips abutting one another as shown in Fig. 1-4, 16 and 17 (col. 3, lines 3-18 and 61-64, col. 4, lines 60-64, and col. 5, lines 31-41).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kazama et al. (US PAT. 6,226,856), Blumberg (US PAT. 5,862,579), Sung et al. (US PAT. 5,654,603), and Griebeler et al. (US PAT. 5,315,244) are cited to further show the state of the art with respect to a process of making a cut plate stacking together.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D Kim whose telephone number is 703-308-8356. The examiner can normally be reached on Tuesday-Friday between 7:00 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-9835 for regular communications and 703-305-9835 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5648.

pdk
January 12, 2003


PETER VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,551	05/10/2001	Jevan Damadian	DAMADIAN 3.0-062 CIP DIV	7187

530 7590 07/25/2003
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
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*Due
25062003
ORC*

EXAMINER

KIM, PAUL D

ART UNIT PAPER NUMBER

3729

DATE MAILED: 07/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

LDIK&M
JUL 28 2003
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Office Action Summary

Application No.

09/852,551

Applicant(s)

DAMADIAN ET AL.

Examiner

Paul D Kim

Art Unit

3729

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Priority Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
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- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7 and 10. 6) ☐ Other: _____

DETAILED ACTION

1. This office action is a response to the amendment filed on 7/14/2003.

Claim Objections

2. Claim 44 is objected to because of the following informalities: It is confused as to what the phrase "the plate" in line 8 is indicated. Upon further consideration, the plate in line 8 appears to be indicated the ferromagnetic plate recited in lines 1-2.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 44 is rejected under 35 U.S.C. 102(b) as being anticipated by Merlano (US PAT. 5,671,526).

Merlano teaches a method of preparing transformer core including steps of cutting a starting plate (11) having oppositely directed surfaces as shown in Fig. 16 and 17 and a thickness between such surfaces into strips (1), each strip having a width greater than the thickness of the starting plate and equal to the thickness of the core to be fabricated as shown in Fig. 1-4 and stacking the strips so that the major surfaces of

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the strips abutting one another as shown in Fig. 1 (col. 3, lines 3-18 and 61-64, col. 4, lines 60-64, and col. 5, lines 31-41).

Response to Arguments

5. Applicant's arguments filed 7/14/2003 have been fully considered but they are not persuasive. Applicant argues that the prior art of record fails to disclose a process of cutting a starting plate having oppositely directed surfaces and a thickness between such surfaces into strips. Examiner traverses the argument. As shown in Fig. 16 and 17 of Merlano, the starting plate has been cut into strips.

Applicant also argues that the prior art of record fails to disclose the cut strip having a width greater than the thickness of the starting plate and equal to the thickness of the (ferromagnetic) plate to be fabricated. The cut strip (1) as shown in Fig. 3 has a width (indicated as 2L) and having a thickness of the plate. According to Fig. 1 and 3, the width of the plate is greater than the thickness of the plate. Also, according to Fig. 1, the width is equal to the thickness of the stacked strips (E) to be fabricated.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D Kim whose telephone number is 703-308-8356. The examiner can normally be reached on Tuesday-Friday between 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5648.

pdk
July 24, 2003



PETER VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700